WITNESS SEMINAR
Policing Piracy 1: The International Picture, Politics and Strategies Post 1989

University of Plymouth in association with the Institute for Contemporary British History, King's College, London. Event organised as part of the Annual ESRC Research Festival

Panel:

David Thomas, Merchant Shipmaster (retired)

Martin Morgan, Terra Firma Risk Management

Patrick Dowsett, Royal Naval Officer (retired)

Jason Lowther, Associate Professor, University of Plymouth

Chair: Professor Judith Rowbotham

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Expert Consultant: Michael Kandiah, Director of the Witness Seminar Programme, Kings College London

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Kim Stevenson – Welcome everyone and thank you all for coming this morning and it's fantastic to have such a great turn-out. Particularly a special thank you to those who have given up time from work to come along and join us today. Looking forward to this event and hope you all are too. Well very timely, Martin sent me an email earlier in the week about an incident that's just been reported "Pirates hit chemical tanker off Somalia". Apparently this is the first report of an attack on a merchant vessel off the coast of Somalia in two-and-a-half years. Comes after 26 hostages from a fishing vessel who were released on the 22nd October. So rather than kind of a little bit of a lull perhaps in pirate attacks recently, certainly the European Union Naval Force reported this attack on a chemical tanker, so that kind of sets the context of today's events I think. So this is really part of the ESRC Economic and Social Research Council Annual Festival 2016 where universities around the country put on various events to promote what they're doing in terms of research that's perhaps funded and supported by the ESRC. The idea is to engage the public and welcome them to universities and to try and get a wider message out in terms of what we're promoting and doing. So, we've got two events today - two witness seminars. One this morning, looking at the international picture of policing piracy then after lunch another seminar with a different panel which will be exploring policing smuggling within the South West and contemporary policing within that context. You're very welcome to stay for both seminars. This evening at 6 o'clock the University is also hosting an ESRC festival launch to promote this whole week. Ours is just one of a dozen different events including a showing of 'The Hijacking' film at 8 o'clock this evening in the Jill Craigie Cinema in Roland Levinsky. If anyone wants to stay to watch that, you'd be very welcome. On Saturday Jason is hosting an event at the United Reform Church Hall with events for children. Our Technical manager Rob Giles has created a virtual reality pirate ship and is again going to be busy all day, hopefully, taking children on board, firing cannons, climbing rigging and getting shipwrecked. Without further ado can I introduce Dr Judith Rowbotham. We've worked together for many, many years. Judith is a Visiting Research Fellow within the Law School and she has chaired quite a few Witness Seminars in the past in association with Dr Michael Kandiah from King's College London. I think the witness seminar series at King's started in about 1987 and how many have you organised so far?

Michael Kandiah – 120.

Kim Stevenson – 120 and this is the second one to be held at Plymouth. The Plymouth ones are the first to be held provincially outside London. The first was in April on the impact of the Police and Criminal Evidence Act 1984 and great to see so many of you here that came to that panel as well. As a result we have 40 pages of transcript oral witness testimony of the experiences of police officers, solicitors and judges after PACE came in, and the whole purpose of this exercise is to do something similar. So it's to record anecdotes, stories, your experiences, to build up archive research so that future historians have got something they can reflect and look back on. So please everyone get involved. Rob's going to be recording the whole event so that we can transcribe it later. We have consent forms on each chair, so could you please fill those in at some stage during the morning so that we have your details and permission to record and reproduce the transcript. Anybody that makes comments will have the opportunity to adapt them or amend as necessary. I'll do the roving mike with the audience. Audience please ask questions, please make statements, observations. Judith would like to explain a little bit more about the actual structure, but it's really for everyone to get involved. Have I missed anything?

Judith Rowbotham – The one thing that I need to now take on is a reminder that the Chatham House Rule does not apply. However, building on the statement that Kim has just made, because this is not about providing sensationalism, evidence to challenge, to criticise etc., any comment that people make, as people who were on the panel last time, like Melanie, will confirm you have the

chance to redact anything that you wish to do. The aim is to expand, to amplify the historical record. When I was doing my PhD and looking at political testimony, I would look at colonial office records and on one I came across, sort of a comment from Gladstone - "this is absolute balderdash", "who does this person think he is?" and various comments like that. Well, in the 19th Century people wrote those kinds of comments down. Now they're likely to be in an email, in a phone call, in a text and the record of that gets lost. So, one of the key values of this kind of event is that it fills in a historical record, because history is what happened yesterday and going back into the distant past, but, it is what happened yesterday and it's also, above all, about people and people's perceptions and people's experience. We woke up today to the news that President Trump is going to be the next incumbent in the White House. It will be very interesting to find out exactly why so many people seemed to have voted that way. I think people will study that and get that and fill that in, and that kind of thing will be on record. But, so often events like piracy in international waters, what it's like with the next panel this afternoon to manage the policing of the South West's coasts and anything else, simply doesn't get recorded, so that is the point and purpose to explore people's understanding, perceptions. There's no right, there's no wrong. It's how you understood it, felt it and, as I say, it's not about uncovering secrets that would be inappropriate to reveal. So, on that basis let me go forward to say that I'm going to ask each of the panel to spend about five minutes and as I said once to one of our ambassadors to Beijing, I have hat-pins to enforce my timing. The only lethal weapons you can legally carry because they have a purpose and no sharpened edge, only a point, but I am talking six inches of Victorian honed cold steel. So, five minutes please panel to explain why you're on the panel, your understanding thereof and I then have a series of questions which I will invite them to discuss to give some further structure and at the end of that time I will be throwing the session open to the audience. Please make observations, comments – "this was my experience", "it was different for me" or whatever. Ask questions. The audience section is very much about broadening the discussion. So, if I can invite Paddy Dowsett our first panellist and the furthest away.

Patrick Dowsett – Good morning everyone. As introduced, my name is Paddy Dowsett. I retired from the Navy, this May, after nearly 30 years, most of which was spent at sea and am now the Programme Manager for the Mayflower Autonomous Ship. You may have seen that in the newspaper recently, please do support it. As for my career, I joined as a sailor across HMS Raleigh in the late 80's. I managed to convince my line manager to commission me some four or five years later as a Warfare Officer. Went through Dartmouth and then really spent most of the next 25 years at sea, cumulating in commanding our frigate station HMS Northumberland, that was down here, and then after that two years at our Joint Force Headquarters where I was the Lead for the Middle East. So my experience with piracy and live criminality I think is in three main phases. As a Junior Officer in the early 90's I was at sea. The Navy was unusually large then and with the tail-end of the Cold War, I spent a lot of time unsuccessfully tracking submarines, Russian submarines. The North Atlantic was successfully keeping the Argentines from repeating the mistake of 82, South Atlantic, but the fun part of the piracy and criminality was in the Caribbean. We used to keep a West Indies guard ship there on station throughout the year. Charged with representing the UK's diplomatic interests, through the overseas territories, but also committing to the US's joint inter-agency task force, east-based ahead of Key West, which was a combined US, UK, Dutch and US civilian and Coastguard effort to thwart the drugs plague in the Caribbean. Most people remember in the late 80's and 90's that central Caribbean and South America was a lot less politically stable than it is now and cartels had free range and the amount of drugs crossing the Caribbean was significant and the ways in which the drugs came across was quite innovative. So you had the traditional go-fast that you've seen in all the films and Miami Vice type boats which are relatively easy to intercept because

their navigation equipment was reasonably limited and therefore they would follow landmarks, chains of islands to get from north to south. You had cases of submersibles being built. You had Cessnas that would fly an s-way across and then land on some deserted estuary or an island, a place like Cuba or south of the more northerly islands. Sometimes we had vessels that would go in for refit somewhere on either the Pacific or the Caribbean coastline. As part of their refit they would have tonnes, 15, 30 tonnes of cannabis or cocaine resin welded up and those vessels would then trade legitimately for the next three or four years without cargo, completely hidden, and then at some stage depending on the market value of the drug, would then go and offload. So we were involved with all of that sort of activity which was very difficult to counter. Obviously it was very difficult to counter any meaningful, you may catch the occasional go-fast and a couple of hapless chaps staying in a local village that were charged with giving the stuff into mainly the US, but it was actually a very difficult trade to counter effectively. Fast forward a few years, I qualified as a Navigating Officer and I was very lucky enough to be sent out to Hong Kong from '95 to '97. I did the last patrol, came in on the day of the handover and then came home. There we were involved again with a bit of piracy because we used to trawl down the South China Seas and the Malaccan Straits, but that kind of piracy was very much 'smash and grab'. Where pirate vessels or small skips would approach medium sized motor vessels, come on-board and hold the crew up and literally take watches, phones, pull off any bits of equipment they could off the ship, whether it's radar systems, comms equipment and then they'd get into their boats and disappear again. An annoying sort of piracy, but not really strategic or operational. The criminality that we were involved in around Hong Kong territorial waters and the disputed waters with China at the time, was dealing with the theft of luxury cars from Hong Kong. If you've ever seen any of those really tacky films 'Gone in 60 Seconds', the Triads that held the place, they would steal a crane and then park this crane adjacent to the waterfront and then six, seven cars, high performance cars would be stolen, the cars would be driven down to where the crane was, the drivers would literally take the strops through the windows, be lifted into a boat, a go-fast, [inaudible] as they call it, that boat would be fitted with four or five engines and then head off into mainland China. We'd try to intercept those and if the engine broke down or we could get close enough to put someone aboard and cut the fuel lines, then you could stop the go-fast, but again it's a very difficult form of criminal activity to get involved in. It was made more complicated by the fact that a lot of the activity, provision of boats, supplying of boats, was at source to Chinese Customs and all their control agencies, so you were dealing with state organisations from across the border that were very effective at this. They were always armed. There were a few times where you'd be in a chase and then you'd hear the rattle of an AK47, which was just their way of letting you know that you weren't dealing with some local smuggling organisation, you were dealing with an element of the Chinese Border Control bodies and therefore it wasn't actually worth pursuing to try to recapture someone else's Porsche or Rolls Royce and you just had to let it go. Inbound we were dealing with weapon smuggling, coming into the Triads and illegal immigrants and Hong Kong still is and was very much then a place where people wanted to come into and the border was reinforced and it's in the Chinese interest to keep that border as watertight as possible as what it was with the Hong Kong government. So we would intercept the illegal immigrants coming in. Most illegal immigrants came in after the end of the harvest. Rice as you probably know grows throughout the year, there's three or four harvests, so within a few weeks of the harvest ending ….

Judith Rowbotham – Can I?

Patrick Dowsett – Speed up? OK, so fast forwarding then, my last situation and probably the most relevant, I was the Commanding Officer at HMS Northumberland and patrol was out in the Indian Ocean where I was charged with anti-piracy and counter-narcotics. Did an awful lot of piracy patrols, which were reasonably successful because I think there wasn't much pirate activity going on, but I

was out there at a stage where vessels were coming in convoys. We spent a lot of time off the coast of Somalia. We would board the vessels, either Somalian or [inaudible] fishing vessels and we would speak to the pirates. The going rate for an armed guard is five US dollars a day. You go on, the guy ahead with an AK47 just so there was no misrepresentation. We discussed what was going on and these vessels, they were engaged with fishing, during the right season, outside the monsoon, we'd engage with our own people up and down the borders, across the borders and if the vessel was daft enough to present itself as a target [inaudible]. So they don't see it in the same sort of black and white notion of this is a good activity, this is a bad activity. It's all about making a living.

Judith Rowbotham – Thank you very much. Jason.

Jason Lowther – I teach and research in Environmental Law here. I've been doing it for about 20-odd years and my principal interest and I guess reason for being here is mainly to do with wildlife crime and what is now developing into things like bio-piracy and bio-prospecting. I've worked previously with DEFRA in terms of doing background research to set up the National Wildlife Crime Unit, which was a clearing house for police forces, HMRC as they were, and various other bodies to deal with the cross border and in-country dealing and trading in endangered species and to counter that. We worked closely with the Metropolitan Police in relation to establishing a means by which these sorts of things would be interrupted and I was also responsible for the drafting of the amendment of the law at the time which provided for a five-year sentence for such wildlife crime offences. At the time that was significant because it meant that police had immediate powers of search and entry of a premises. Prior to that they would have to get a warrant and it would have to be arranged, they would have to go at an almost pre-arranged time, by which time most of the material of interest had disappeared. Subsequent to that I've worked with the World Wildlife Fund and the International Fund for Animal Welfare in relation to both the ivory trade and other versions of wildlife crime, whether that be trading on the internet, which is obviously a newer development of this sort of business. It's the old crimes, new opportunities type idea that has gone on with that, and again, hopefully the work we did then has been useful in terms of actually being able to disrupt that trade slightly. I say slightly because as we know at the moment there's a big currency, again in ivory. It's also been used, anecdotally at least, to fund quite a lot of other organised crime, terrorist operations, some of which maybe being pirates during the day or during some of the months of the year and then other months of the year going on to elephant poaching or ivory poaching or rhino horn poaching. All of which, obviously, is seriously detrimental to biodiversity in those particular areas. What's become very apparent is that there's been a change in the MO of some of the people that are operating in this. It has become very much a very violent conflict on both sides, with private security firms being employed in Kenya and South Africa to be used, as Paddy was perhaps alluding to, in a maritime context and in a terrestrial context, with shoot to kill on both sides, which then brings us into all sorts of moral dilemmas around the protection of animals and species, over protection of people. Taking that then a little bit further offshore, currently there's a UN General Assembly resolution going through in relation to the protection of biodiversity beyond national jurisdictions which is essentially the high seas. It's about getting countries to agree to regulate the high seas which are seen obviously as a global commons and a resource for humanity in general; and how we're going to police that to ensure that what goes on there in terms of, perhaps bio-prospecting, it doesn't cross the line into bio-piracy. The driver is to deny the opportunities for a common resource of humanity to be concentrated in the hands of a small number of countries or a small number of organisations. There is legislation that deals with this in International Law, the Convention of Biodiversity in particular, the Nagoya Protocol, both of which seem to, or are aiming to move towards this idea of fair and equitable use of any discoveries and so, if the design patents

on genetics, if you like, are being concentrated too far, then there is an accompanying restriction placed on their use, and so that's where my interest in this comes from.

Judith Rowbotham – Thank you very much. Martin.

Martin– Hello everybody. My name is Martin and I work for Terra Firma which is a risk management and crisis management company. If a ship gets high-jacked then we're usually called in by war risks insurers, so-called clubs usually, so you might have a UK War Risks Club, Hellenic War Risks Club, Swedish Club, but they are in fact insurance entities, usually mutuals, so shipping owners contribute to them and they of course are ultimately, the victims. Sometimes we're called in by law firms as well. Recommended by law firms. Our role is to help the owners set up a crisis management team which would be where the shipping companies run from. So, for example, I spent about 10 months in Coral Gables in Florida working on a Somali piracy case. I've never been to Somalia. We are just advisers, so we make recommendations on strategy, the aim being to normally negotiate the payment and delivery of a ransom to the pirates holding the ship, the crew, and cargo and we as a company also offer to our clients, and so far they've never refused, to speak to the pirates on their behalf. So, I've spoken to one gentleman called Ali two or three times. We discovered afterwards he was using a false name, his real name being Mohamed. He didn't want to be traced. These things nearly always end in a payment, a negotiated ransom. As you can imagine the price can go up as well as down and the ride can be quite bumpy. That's the main activity, but also of course, there's lots of other people involved. The authorities, for example, the American Office of Foreign Asset Control takes a big interest in these things. We, in our almost 30 Somali piracy cases, have tried to get the authorities interested in perhaps suborning Somali pirate negotiators who tend to be very mercenary and often aren't actually pirates themselves, but a bit like Jason was saying, it's not an identified top priority national interest for anybody, or hasn't been, so those sort of efforts didn't really come to anything. We help the shipping owners liaise with families, the cargo owners. There are lots of people involved in these things. After the hijacking is over, often a very nervous time for the crew when the pirates have left, but they're still in a danger zone and trying to go to a port of refuge, we usually get involved debriefing them, which is obviously very useful for us because we've come across the same negotiators time and again, the way they behave, the way they treat crew and also it's often the only chance the crew get to have some counselling or psychological treatment. Somalia, as Kim said, this is the first serious attack really in a very long time, so for us, the scene of the action has shifted from East to West Africa and most of our recent cases, the Nigerian pirates operate in The Gulf of Guinea. They're very different. Very violent. They come on-board, as Paddy said, they start out to 'smash and grab', they don't dare stay on board the ship because if they did the Joint Task Force would come and kill everybody and probably sink the ship as well. So, they leg it fast, usually with the Master and Chief Engineer taken to the Delta and the big risk there, of course, is malaria and things like that, typhoid, but they don't last as long. The last Somali piracy case I was on was 10 months. A typical Nigerian one would be two to five weeks. Once it's resolved that's when often the real money gets started. The ransom's been paid and then everybody starts suing everybody else, but fortunately we tend not to get involved with that so much.

Judith Rowbotham – Thank you very much Martin.

David Thomas – Ladies and gentlemen, good morning. My name's David Thomas. I'm an ex-merchant shipmaster. I spent 45 years at sea, mainly in oil and gas, which in itself is a dangerous occupation, without pirates being involved. Our training over the years has been quite, in fact, I would say very good. We've never been trained to deal with pirates. Fires yes and I've experienced a couple of fires in my time at sea. As you will appreciate they're rather serious in the case of gas or oil tankers, fires are not good. I did see, many years ago, back in the 70's and 80's, that's the 1970's and

80's by the way, in West Africa I experienced what were called pirates at that time. They were more thieves than anything else. They came and then ran away quickly, if discovered, so there was no threat to human life to a great extent. They did come armed with large knives to cut through our protection which were charged fire-hoses. That was our system for actually fighting against these so called pirates. Skip forward a few years, in 2007 I was invited to join a Qatari company who had just started building very large, LNG tankers and their trade was to be from Qatar to Milford Haven. They had also converted the ESSO refinery at Milford Haven into a storage system for an energy gas which now supplies the country to a great extent. In building the ships in Korea, they built them rather specially. I'd never seen safe rooms on-board a ship before. As I said it was a big ship, so we had quite a lot of space within the accommodation. It carried 27 total crew and we had a gymnasium, which was very useful. Some people, I gather, used it. I looked in there once and it was in use, but the point was that that gymnasium was equipped with its own air-conditioning plant. It had its own toilets. We kept the refrigerators in there, stocked with food and water, because that would be our point of retreat on-board the ship. It also had reinforced doors fitted, which I was told later, would probably not cause too much problem to an AK47. We trained internally on-board the ship to actually retreat to this room and lock-down if we were ever boarded. We had an incident in the ship in 2012 which damaged the hull of the ship, limiting the speed. We then had to take armed guards, security guards, actually local guys from a company in Kingsbridge. We took a team of four on-board and that was the start of clearing all, or most, of my concern. It was a big ship and we had a very high free-board, that's the distance from the sea to the first deck. The pirates invariably boarded ships at the back end of the ship, but we had 12 metres from the lowest deck to the sea. Now that's not going to stop them from getting on-board because they had long ladders to do so, but we did all we could to stop them progressing too far on-board the ship with a complete lock-down and black-out. We just trained internally on-board the ship in our own way which, I was later advised, was adopted by the company for all their ships. All of their ships would carry out the same drill. In fact, I never actually saw any pirates. I retired, as I say, back in 2014 and I'm glad to be out of it quite honestly. It was the most frightening thing I think I ever did at sea, proceeding through the piracy area.

Judith Rowbotham – Thank you very much. So that is a very wide range of experience of perspective that we have in the panel. What I'd like to do is to build a question on the last comments made by David Thomas, in the sense of asking, for you then, how much of a problem, of the various problems you faced, challenges you faced in your careers, how largely did piracy in international waters or local waters actually loom? Is it something that when you survey back over your career you think "this has been one of the things that I've had to cope with most regularly". David.

David Thomas – Yes. In the last seven years it has greatly affected the way we work at sea. It's taken up a full three days of passage and we were doing this voyage twice a month, one going west, one coming east and I say coming because I'm going back to Qatar. Qatar is the home of the ship. It affected the ship in the fact that we had to change priorities for three days. Basically we had to stop all our regular routines and I know the guys on-board the ship were rather concerned about being actually taken, which I persuaded them in most cases that we wouldn't be.

Judith Rowbotham – Paddy perhaps.

Patrick Dowsett – I think the military is a little different because when a warship's deployed anywhere it has two roles, or at least two roles. There's the wartime role that takes you there in the first place. When I was commanding Northumberland she was an anti-submarine frigate and we were in The Gulf keeping an eye on a country which is now a friend, but I had a very clear wartime role and that was to keep the Straits of Hormuz open and sink enemy submarines. So that's what

you're out there for and preparing for because your daytime role is a constabulary role and that's the sort of the side of the Navy that you see in the PR. So whether it's engaging in anti-piracy, smuggling weapons, smuggling, anything like that. There's that dual nature. So day-to-day activity for most of the ship's company is a constabulary task, but the command team and the ops room team have to maintain that ability to sort of gear up, if you like, go to the higher end of war fighting. So you're always, there's always some task like counter-piracy going on when you're at sea and it takes up most of the activity of the ship's company, but that's not what they're there for.

Judith Rowbotham – Would either Jason or Martin like to comment?

Jason Lowther – I'd just be interested to know, actually, I've got a question of my own here for Paddy. Did you ever intercept any wildlife products or any ivory or anything like that off of those coasts?

Patrick Dowsett – No, I think the most constabulary operations, the presence of a warship staying four or five miles off the Somali coast was quite effective. If you look at the Somali coast there's natural ports, so most activities, small dug-out vessels coming off the beaches and they have a very good intelligence network. They know that you're out there and indeed you make yourself very visible. With constabulary operations you suppress the crime by being there. So, no, sorry.

Jason Lowther – OK thank you.

Martin – I've worked in kidnap for ransom for 31 years now and I suppose piracy, especially in Somalia, the high season was from about 2008 to about 2013 and then my colleagues and I probably, I'd say 70% of our time was spent on Somali cases because they're very long. Whereas, as I've said, the Nigerian ones, we've probably done about six or seven over the past year I'd say, something like that, but it hasn't crowded out other activities, as much as the Somalis did. We had to hand off cases to respected friendly rivals because they were blossoming everywhere. We have a few now, of course, but that's probably just us.

Judith Rowbotham – Perhaps this latest event signals, as has tended to happen across historical time, a resurgence of activity there.

Martin– Yes. I'm sure it's not because the Somali pirates have decided that they were going to reform and they've been very naughty and were now going to stay on land and pursue legal and constructive careers. I think it's very hard to tell why Somali piracy declined, but I think the armed guards made a huge difference. As did also the naval patrols which got stronger and stronger as time went by. Paddy will be able to tell us more, but I hadn't realised quite how crowded that part of the ocean was and you know the difficulty of telling who is who, as Paddy said, fishermen and pirates tend to be one and the same, depending on what catch offers itself, but I think the armed guards did make a difference. But also all the Somali pirates had a hinterland which they controlled, so pirates would often be the on-land militias which controlled a few ports. There was a bit of crop rotation as far as we could tell. So if the UN came in with a great programme worth millions of euros, then the chief of the militia or the clan chief, it was mainly clan-based, would say, "OK,OK, guys, let's turn the piracy down a bit while we get this UN money and then once we've got that we can turn it up again". One case that I worked on, very unusually, the Somali pirate representative/investor, because the big guys never went to sea. They would come on board ships when the ransom's being divvied up, otherwise they never took the risks that the grunts did. He sent us an email saying your ship is ready for release, but first my colleague and I need 25,000 dollars each. This was 2009 and unusually he put all three names, because as I said, you might get to know an Ali or a Mohamed or whatever. So I

googled his three names and blow me down he came up as one of the advisers in the United Nations Development Project in Somalia as well.

Judith Rowbotham – Paddy could you comment some more on that?

Patrick Dowsett – The approaches to Bab-el-Mandeb and then going up through the Red Sea to Suez, it's a natural funnel if you look. A lot of countries introduced, effectively, convoys where the vessels that started to come from The Gulf or further out in the ocean, as I said, they'd come in, they'd be rounded up and then escorted through exactly the same as like a World War 2 convoy coming across the Atlantic and that's a very easy task for navies to get involved in. The Chinese are out there doing their own. The Russians are out there and also for the EU trying to find its role, the military arm of the EU trying to find its role and understand where it sits with NATO, that was something that they latched onto, so there was a lot of European vessels out there escorting the merchant vessels as they were lining up through the Bab-el-Mandeb and then up to Suez, which was really effective at discouraging pirate attacks. So you would see, and the mother vessel tended to be Yemeni and then the small vessels would actually do the pirating. The small skiffs would tend to be Somali, so there was a range. So you would see these Yemenis fishing vessels crossing through the convoys and they were just looking. They were checking, they were looking for barbed wire. So they were looking for a vessel that presented itself as an easier target, because I think effectively that's all you have to do to prevent piracy, you just have to make sure you are better protected than the vessel next to you. So they would cruise the shipping lanes, going up and down, the presence of a warship or the presence of armed guards on the back and barbed-wire, which very obviously shows vessels take force protection seriously, would discourage them. So they would go back about their business whether it was fishing or transferring people between the two.

Judith Rowbotham – David could you say a little more? You said you didn't see pirates, but did you see some of this shipping which might have been observing and possibly pirates?

David Thomas – Yes, indeed. The system that was introduced for merchant vessels, Paddy just talked about the convoys, that tended to be with the slower vessels with maximum of 12 knots perhaps and a lot of smaller vessels as well. In my case, as I said it was a very large ship, we were doing 21 knots at our full speed. The problem at Bab-el-Mandeb is when you have two or three ships approaching together. We were going north in Yemeni waters the only time that I might have seen anything, and I believed it was probably fishermen at the time, but a fairly large tanker ahead of us and because it's so very narrow, only about half-a-mile ahead of us, suddenly decided to alter course right across in front of us. He was doing about 15-and-a-half knots and we were doing 21, so we were very quickly coming up on his port-side and he decided to go left, right across our bow to avoid a load of small boats that were interested in him, just circling him. They were fishermen ostensibly anyway and looking for the opportunity. So having said that, I didn't see any pirates, perhaps they were, because, once again I suppose, those fishermen might be the pirates of the next ship.

Judith Rowbotham – Before you switch off could I ask about the armed guards? How visible would it have been to such fishing vessels that you had armed guards?

David Thomas – Oh yes. If one of these small vessels came within half-a-mile of us, in open waters, we assumed we were under threat. So these guards would be out with their guns and waving the guns at the fishing boat to indicate that we had arms on board. The whole idea of the thing was to dissuade them from attacking. The guards had to seek permission, my permission, to actually use the guns should it become necessary. In fact, I only ever saw them fired in practise, never in anger.

Shortly after the on board guards received their weapons they would fire off a round from each gun to ensure it was working. It would be pretty useless if it failed to work when the time came for them to use them.

Judith Rowbotham – How did you react to the armed guards? You said that you felt that this was an important development. How did they meld into the crew in the general day-to-day operation of the ship?

David Thomas – Very well. We, as I said, were self-trained prior to the armed guards coming on-board, so we were doubling all our watches for three or four days. Therefore, when they came into the ship they checked through our protection systems and made sure that we were in a position to be able to fend off any would-be attackers. Our major measures were the retro-fitted high-pressure fire-main around the lowest deck which was continually pumping out gallons and gallons of water under high-pressure, around 15 bar. The ship was fitted completely with razor-wire around the back end of the ship on that lower deck as well. Once they'd checked through our systems they fell into watch-keeping alongside our guys and everybody got along with them. There was no problem whatsoever. I have been asked since if I had to give permission for them to shoot, would I have any compunction or regret if they had to shoot to kill. The answer is "no" because in a gas-ship with these guys possibly having RPGs, it's very easy for them to do the vessel considerable damage and personally and from discussion with the guys on board, we felt that if they were coming on board with AK47's, these are not toys and we would expect them to use them, so we felt a direct threat and I would have been quite happy for my armed guards to actually use them in earnest.

Judith Rowbotham – Paddy do you have any further comment on that?

Patrick Dowsett – There's two points I'd like to bring up. The first thing is reaction time. So if you're in a merchant vessel steaming north-south off the Somali coast and you pick up, and this happens in the film 'Captain Phillips', a couple of small skiffs coming towards you, the intent is really obvious and that gives the Master time, I think, to get his crew together and take reactions. Back up in the Bab-el-Mandeb there's a lot of crossing traffic and of course you are dealing with people who aren't natural seafarers. We are very aware of the rules of the road as mariners, whether military or civilian, and you apply them. You are operating in the part of the world where most of the community don't understand those rules and don't apply them. So they will think nothing of crossing ahead of you by a few hundred yards or less or astern of you by a few hundred yards or less. So that really does present a dilemma for the Master. What is a genuine crossing target, that just is not aware of the rules and what is the threat to you? So the CO or the Master has a very limited time in which to make a decision about what to do, particularly if the use of firearms is one of those decisions. One of those things that has a name on his matrix. The CO or Master comes under an awful lot of pressure there to make a tiny decision, which if it's wrong, it could end him up in court because the use of weapons, you only use a firearm to take life. There's a popular misconception that we use the expression 'shoot to kill', you always shoot to kill. If you make a decision to point a weapon at someone, there's no trying to wound someone or put him off, you have made a decision that someone else's life is threatened, in which case if someone is pointing an RPG at your vessel with the likelihood of explosion, to my mind that is enough justification to use a weapon, to neutralise that threat. So those are very interesting legal issues to bring out and very interesting issues for the Master and the CO to make a rapid decision, that if they get wrong, will have them, quite rightly, end up in court. If they get it right then obviously they have taken a life to protect life, which is, in my mind, just fine.

Judith Rowbotham – Anything else you'd like to add to that David or Martin or Jason?

David Thomas – No not really. As I say the Bab-el-Mandeb situation with so much shipping and so limited a space, I'm totally surprised that there were no collisions, well that I heard of, caused by these small vessels. Because it does put the ship's Master in a quandary, a state of panic when he's surrounded by, there were 15 or 20 of them at the time, so I assume, fishermen, and going about their own business, just interested in the tanker perhaps. It comes as a surprise, as I say, that there were no collisions that I heard of in that small area, especially where vessels are running at high speeds.

Judith Rowbotham – Thank you. Martin do you have any comment?

Martin – One thing that surprised me was how long it took owners and insurers to accept armed guards. It always seemed obvious to anybody who's had any contact with the military that this was a very practical low-cost solution to a real plague. Roundabout 2008/2009 if you'd even mentioned armed guards to owners or insurers, they would have chucked you out of the office. For some reason they feared that it would result in set-piece battles at sea between pirates and crew members and understandably they said, "e don't want to arm our sailors, they're not soldiers", and they didn't want weapons on their ships. Also, and I'm sure David knows much more about this than I do, the regulations when you went into port and you had weapons on board were incredibly complicated and a lot of places wouldn't allow you in. So I know armed guards who used to have their weapons brought on board, often AK47's or something and they'd chuck them overboard before the ship went in. Not a very good solution really and even now I think there are six or eight ex-servicemen who are serving five years in India because their ship went into Indian waters, they were the armed guard on board and they're doing time, with a petition going around which all of us who know about them have signed. I think that's one of the things that Mrs May is going to be asked to raise on her trip to India. So all the regulatory things are really, really complicated.

David Thomas – In our particular case, going east, we shipped the guards, the four guys themselves in Suez, at the port of Suez at the end of the canal, having cleared the canal and then halfway down the Red Sea we then rendezvoused with a small tug vessel which had the arms on board and when we slowed down, she came alongside and we took the arms on board. The same thing at the other end, when we arrived up to Oman or Fujairah, we kept 12 miles offshore and rendezvoused again with a vessel, which in fact was more of a dormitory vessel where the armed guards left together with their arms. But they were 12 miles off and in International waters, so going into port didn't actually apply.

Martin – Just in connection with that, one famous case which wasn't ours, I think it was off Oman, the ship had gone before anchor, the armed guard had gone on shore, the journey was over and along came something that looked like a floating ranch as it was full of animals to be slaughtered for Eid, but rather like the Greek myth with Odysseus, underneath the animals were pirates and they hopped on board and cut the ship out from the anchorage and away they went.

Judith Rowbotham – Yes, it's interesting to consider the different tactics and things, but also the continuity of certain kinds of tactics. One of the things that listening to you has reminded me is that the Dutch commanded the spice trade back in the 16th and 17th Century because Dutch merchant shipping went out with the backing of the Dutch state. French and in those days, English shipping, did not. They were expected, if the Navy happened to come by, the fairly miniscule Navy at that time where we seem to be back again, but it meant that we ended up with India very largely because we'd been booted out of the various Spice Islands, Indonesia and modern day Indonesia, Java, Sumatra and places like that, so one of the questions that I think it's quite interesting to consider is how backed did the Navy feel by its government? Do you think in your encounters, did merchant

shipping feel backed by governments, by the United Nations? which is after all supposed to be managing the various international issues. So in other words, are international and national authorities, including international firms and shipping companies, doing what they need to do? Is this one explanation for the persistence of piracy?

Patrick Dowsett – Piracy has a very strict legal definition and I ended up in a situation where I was taking advice from the UK to make sure that I didn't become a pirate. I got involved in a drugs chase off the coast of Oman actually and we decided to put our helicopter up on the Friday because the Omanis don't fly on a Friday because it's part of the weekend and sure enough we soon found a number of vessels that were, probably before we came out of [inaudible], so Pakistan probably or maybe Iran and they were heading towards the top part of Oman. Helicopter saw them, I looked in the back and they were carrying what turned out to be about eight million pounds' worth of Afghan cannabis. So we set off in pursuit. I managed to get the frigate behind them about a mile-and-a-half before they turned around and saw me there. I put my boarding team away. We had a very robust interpretation of the rule of the road that brought the two smuggling vessels to a stop. Which again is a very interesting use for law, so we had a Royal Marine boarding team with a machine-gun mounted at the front of the boat, so the two boarding vessels got themselves parallel to the two smugglers who were busy throwing the drugs out the back. But then if they don't stop, you are very limited to what you can do because you cannot use force to get them to stop in those circumstances. I had a Royal Marine Captain who did what you hope a Royal Marine Captain would do and use initiative and I got them to stop. For them to go on-board and actually take the remaining, what turned out to be about three or four million pounds' worth of drugs off their ships, I had to take advice, because we were on the high seas and that's when piracy applies. Obviously if it's in someone's territorial waters, it's just criminal activity that's governed by the law of that particular land. The high seas, one can argue, is ungoverned. It's more convention, there are layers of laws that become incredibly unhelpful when you are trying to deal with crime. These guys had cellphones. I wasn't allowed to take the sim cards out of the cellphones which would have given us access to the wider network. That would have been theft, which is incredibly frustrating. I had to wait for two hours before I could take the remaining cannabis, Afghan cannabis, off those vessels and put it on the frigate because the UK lawyers wanted to assure themselves that I was then not becoming the thief and a pirate by stopping these [inaudible] and taking what was legitimately theirs. So we were just there for hours waiting for these deliberations to happen, which as you can imagine, was incredibly frustrating from my perspective. However, in the end, we were allowed to take the drugs off and they were kept on board ship. But then, what about the people? I had five [inaudible] there. No country, because it's in international waters, wants to deal with them. Which court then tries these people? So I just let them go and actually, going back to their bosses with empty boats, I think their fates at the hand of whomever they worked for, was going to be far more dire than being processed through a court and put in a prison for a relatively short term. So it is very complicated. When you get to actually dealing with the crime itself there are some legal, not loop-holes, but grey areas and as someone who's very happy they're there to enforce the law, actually the law's not always on your side and that's where UN mandate becomes visibly useful.

Judith Rowbotham – Thank you. David.

David Thomas – I'd just like to mention the internationally recognised traffic zone which was established to the north of Somalia. It was a very clever thing. I think it was the British Admiralty that came up with the idea. You entered a gateway at either end of the "channel", these weren't physical of course, they were just on the charts, markings on the chart. You entered the gateway at various times depending on the speed of the ship. This was designed so that from A to B or from C to B, B

would be the time of first light in the morning, which was predominantly the time when the pirates had previously been known to attack. In the area B, which was the closest point to the Somali coast, designated by this scheme to be the arrival point at dawn, we always saw Naval ships patrolling. There might be anything up to eight or ten ships arriving at the same time, every day in each direction and they were covered by the Naval forces, mainly European, but we always felt glad that they were there because we did know that the time of attack was predominantly at the rising of the sun. So as far as the Naval presence was concerned, we very much appreciated it.

Judith Rowbotham – Martin.

Martin – If you get the chance to see, if you haven't seen it, 'A Hijacking', it's an extremely good film and one of the characters is based on a Danish shipping company CEO called Per yGyllestrup and you can actually see him on YouTube I think, but one of the first things he says when interviewed, he said, "When our ship was taken I suddenly realised we were completely alone, nobody was there to help us, no government, no authority, no navy". Cargo owners, and I've experienced this myself, you get an email saying, "Terribly sorry to hear about the hijacking of your ship, by the way you're off charter".

Judith Rowbotham – Can you explain what 'off charter' means?

Martin – An owner of a ship will charter it to a large company which has to transfer coal from Richards Bay in South Africa to somewhere in Europe and it's basically you rent the ship out and it's usually limited to a particular journey. So Richards Bay to Italy, I think, in one case, that might have been two to three weeks, hope I've got that right, and it ended up being three months and the first thing that the owner was told was, "It's over to you now, not our problem". I experienced something similar when we had a vessel four nautical miles off Eyl, which is a big pirate place on the coast of Somalia. Obviously when you negotiate a ransom and a delivery, one thing you say to the pirates is, "AA condition of us paying the ransom is that you leave the ship with enough fuel and power, etc., to get to a port of refuge". No problem. You ask the Master, "Will you be able to get underway to Salalah," or somewhere like that - "Yes". Pirates leave the ship, she's dead, there's no fuel on board. They've kept the lights running all night for months, partly to spot if other pirates are going to climb on board and try and pinch their prey. So this ship was dead in the water, four nautical miles off Eyl, nobody would go. The salvage people said, "Well, we'd love to, but it's not quite our sort of thing," and in the end we called up a Dutch ship, the Evertsen, and I was at Athens Airport and spoke to the Principal Weapons Officer. It was one of these things where there was more static than words and I said we needed 165 tonnes of diesel, which was what I had been told to say and I heard nothing and then it turned out that they actually, as we said we were very happy to pay, if you can just spare it, and they gave it to us and she got underway and got to her port of refuge. I heard afterwards, I'm not sure it's true, I hope it isn't, but the captain of the Evertsen got a strip torn off because it wasn't within his remit, his mandate mission statement, or whatever you like to call it. Whereas I think he certainly behaved in a good seaman-like tradition, but you might know more about it Paddy.

Patrick Dowsett – The great thing about being a frigate captain is the autonomy you have when you're at sea, so no doubt he was torn off a strip, but if you asked him if he would do the same thing again, he'd probably would.

Martin -I hope so.

Judith Rowbotham – Jason have you got any comment?

Jason Lowther – It's just the comment that's been made about the difficulty in policing some of these things. Because of the national jurisdiction things that have been thrown up about, for example, taking weapons through, which anecdotally are things I've been aware of, it is the level of control that again comes out onto high sea, which again has been mentioned and that is less than perfect. If we want to try and set up a system for future threat, then how does that work in a high seas circumstance? How can that be effectively policed in a way that means that legitimate trade may not be interrupted? If you take for example the Mediterranean, the Mediterranean's a very small bit of water, but quite a lot of the Mediterranean is high sea and because of disagreements amongst states on the extent to which rights to an exclusive economic zone or a territorial water may be claimed. My interest at this point is being piqued by the context of how those controls then actually are constructed in an effective way. Because from what I've been hearing, then it seems that very much the responses are a relatively low-tech solution, it's deterrent or it's being able to say, "Right, OK, we have jurisdiction in this particular area, but what about where that jurisdiction doesn't exist?" How can the capacity be developed to being here to make those sorts of things exist? That's what I was really thinking at the time.

Judith Rowbotham – Martin.

Martin - We used to say that if you couldn't afford armed guards then a Russian flag was the best thing to fall back on, because as Paddy said, we're Westerners and great people as we are, and I wouldn't want to be anything else, but lots of Somali pirates were really a clear giveaway, you could tell they weren't fishermen because you could see the aluminium ladder which they'd welded other bits onto, with the two hooks on, and no fisherman needs one of those. Their gear would be chucked into the sea and they would be sent back. Sometimes, given the, I don't want you to underestimate, well I think you have to call it courage, of the Somali pirates, they set out in rough seas, they don't have lifejackets and they sometimes don't even have comms. Some came on board and the first thing they wanted was water, because they were almost dying of thirst and hundreds, I'm sure, were lost at sea, never to be seen again. If you see either 'Captain Phillips' or I think 'A Hijacking', when you're actually trying to get on board a vessel that's not going slow, but going fast, they're pretty tall. Some of these characters, I think the one incident I remember best is the Moscow University when they went into, as David said earlier, the later ships had citadels, as we call them, purpose built, but lots of course never had them, so they would try and use, and all that comes out in the 'Captain Phillips' film as well, somewhere that the pirates wouldn't find very quickly to hide in and the Russian sailors had hidden, I think, next to the steering gear or something and the pirates had just about found them when the Marshal Shaposhnikov, I think it was, turned up and took them all prisoner and Medvedev, whose turn it was to be President said, "Yes, we'll bring them all back to Moscow and put them on trial," and then they thought about it and said, "No, not really worth doing". So they took the navigation equipment the pirates had and I think they left them with some telecoms, gave them some supplies and off they went, but I think amongst the supplies was a reasonably sized bomb because comms with the Somali pirates just came to an end about an hour later, that was it. So, yes, Russian flag.

Judith Rowbotham – One of the things you can say when you survey the history of piracy is that over time the commodities that are objectified as desirable by pirates, change. So where do you think piracy is likely to go? Is it going to continue to be things like people? Because on the whole the 16th, 17th, 18th Century pirates were not interested in ransom. They simply targeted ships like the great Mughal's treasure ship, the biggest pirate haul in history, probably totalling about four billion in modern money and a Plymouth man behind that particular strategy. So they weren't interested in people. They might kill them. They might rape them if they were women, but basically they left them

behind. Now we have the possibility of ransom, people that has become big business. Where is piracy going to go from now? Particularly given the developments that Jason was talking about earlier. Perhaps I could start by asking you Jason.

Jason Lowther – So if we're taking piracy to mean theft on the high seas then at the moment there's a very big drive towards establishing what are called VLMPA's, which are very large marine protected areas. These are primarily being undertaken in relation to biodiversity and they're being done in very remote areas. So the UK's most recent one has been around Pitcairn, prior to that then and you're probably aware of this, that there was one around Chagos. The Chagos one, in particular, was causing problems in terms of human rights. There were difficulties because of the fact that the Chagossians were maybe denied a home in relation to what they could do there. The issues then becomes the policing of those areas because here we have a classic case of an enormous, very remote area that needs to be policed. There's nothing around Pitcairn, there will probably never be anything around Pitcairn. There is a little bit more around Chagos clearly. This has to be policed. The resources that have been removed from the ocean there are generally around are IUU fishing, illegal, unregulated or unreported fishing. Large scale extraction of fishery resources or other biological resources, which in the case of the latter may or may not have some commercial value, are then being denied to the rest of humanity as a shared common resource. Those are the sorts of developing areas that we would see threats developing in. Where piracy is for ransom, where it's for hostage, where it's for an actual definable, tangible thing that you can identify, then it's necessarily limited. When you're casting the net, and no pun intended, but casting the net a lot further in relation to actually these operations, they're disparate, very difficult to pin down who's actually doing it. It's very difficult because of the remote location of where some of these things are going on. Also, at the same time, it's at the cutting edge of technology. Technology actually is permitting certain of these things in a way that more traditional ideas of piracy aren't. It's a relatively low-tech solution. You pull a boat up alongside another one and if you're arms are bigger than the other arms, then you probably get there. It's more to do with the depth of the pocket of the organisations that are involved in bio-prospecting or particularly marine bio-prospecting and marine mining for rare earth metals, that sort of thing, etc. So that's where I see it at the moment.

Judith Rowbotham – Any comment from any other members of the panel? Martin.

Martin – I think that obviously what the pirates are interested in is money and anything that produces money is what they will go for. As Paddy referred to earlier, a lot of Somali pirates and perhaps that's what they've turned to as well because of armed guards, people smuggling is a huge thing between Yemen and Somalia and other places and as we all know, it's big business. It's all driven by money. Arms smuggling is quite a big thing now. You get Ukrainians involved with Somali pirates, partly because the Somalis actually captured an arms transport which I think was going to South Sudan via Kenya, but that led to a mutual understanding, I think, between some rather dubious Ukrainians with a security service background and Somali pirates. So wherever it's easiest, wherever the fruit hangs lowest, that's what they'll go for. I think as soon as you can remove the drugs trade, if you can remove the economic motivation to do it, that's usually far more effective than policing or trying to shoot the guys who will just be replaced. As Paddy said, you catch a guy on a motorboat, that's not going to be Pablo Escobar.

Judith Rowbotham – Paddy.

Patrick Dowsett – I think although we're looking at piracy from a maritime perspective, it's a crime that largely takes place on land. So really you have to look for the ungoverned space, now whether that's because it's [inaudible] or the collapse of state and law and order, if you have that next to a

resource, again, whether it be natural or an economic, piracy will flourish. So look for the next ungoverned area and you will find piracy in some form or another.

Judith Rowbotham – David have you any comment?

David Thomas – Not really, no. I'd like to see the back of them, of course, for the merchant fleet. I'm no longer involved, fortunately, but I do have a lot of friends who are still involved in it. I cannot for the life of me see how this problem's going to be solved. Not in the immediate future anyway.

Judith Rowbotham – Well we've never managed it over centuries and so piracy is pretty endemic. At this stage I'm going to throw the session open to the floor and at this stage also, what I want to do is to remind people that photographs have been taken and there is a Twitter communication going on. So remember that comments that you make maybe Tweeted or questions maybe Tweeted, but again, it is Michael who is in charge of doing that and he is fully aware of what is an appropriate Tweet and what is not an appropriate Tweet. So, could I ask for any questions from the floor. The other thing is, please could you say your name before you speak to identify yourself for the transcript. Melanie Simmonds.

Melanie Simmonds – Thank you. Melanie Simmonds Chief Inspector of Devon & Cornwall Police. I was interested in the point that Martin raised about ransoms being inevitable in terms of payment and interested in the views of the panel around the ethical and moral dilemmas of that, and also the risk of it increasing, the lucrative nature of this and therefore increasing the risk of it happening more often. I speak as a citizen when I say to you that my perception of what I hear in the media in relation to kidnaps by ISIS overseas or by celebrities or relatives of the criminal gangs, that generally the perception I think we have as the public, is that ransom demands are not met. So I'm really interested in that lack of parity. What the motive is for the ransom payment, whether it's property, how that sits with you over ransoms not being paid in respect of protection of individuals who are kidnapped and the ethical and moral dilemmas for you as panel members.

Judith Rowbotham – Yes, Martin.

Martin – I suppose the first thing to say is nobody wants to pay a ransom. They do it under considerable duress. Ransoms paid to pirates are probably, if not the only way, to get the crew, the ship and the cargo back safely, certainly the safest way. So although there have been armed interventions in Somalia and a couple of them have been successful, others not, it is a very high risk strategy and one that most states won't contemplate unless there are particular political issues involved. That being said, I would have to say that the worst offenders in paying ransoms and making our job much more difficult than it should be, have been governments. So, I'll give you an example. When the largest ransom paid to Somali pirates hadn't yet broken the three-million-dollar ceiling and this is known from Wikileaks, the Spanish government paid over, well roundabout 10 million dollars to free a Basque factory ship and its crew and we actually gave some advice to some of the Spanish foreign intelligence service, because they really knew nothing about Somali pirates, so they collected some information, which we were happy to give to them. I spoke to a gentleman called Pepe, that was his name, and of course you could see why they did that because the Spanish government, the last people they want any trouble with, are the Basques, for Spanish historical, national reasons, all that sort of stuff and so the CNI were told "solve this problem yesterday", so they did, in a way that you can solve problems, and of course the pirates knew this, none of the rest of us knew it. Land-based kidnaps, I would say that the French, the Italians, the Germans, the Swiss, the Austrians, have all paid ransoms. Most of them have signed up to the 'we won't' and they think it's a bad idea and so on and so forth, but when you see two French journalists welcomed back at

the airport, outside Paris, by Monsieur le Président, there's a slight contradiction there. The only people who won't as a matter of policy are the British and the Americans and certainly whilst David Cameron was Prime Minister, for example, there were some attempts at armed rescues in Nigeria. The problem there is you cannot do anything in Nigeria without the Nigerian authorities being involved, so it turned into a joint operation and the Brit and the Italian involved were both killed. So it is very, very high risk and it would be quite difficult, I think, if a whole crew were to be killed and a ship sunk and everything as a result of an unsuccessful armed rescue. That being said, there have been ones, I think the South Koreans rescued one of their ships and the smokestack was absolutely peppered with small arms fire, but I think perhaps they did that, because I don't think there were any casualties, interestingly, they just showed the pirates what they could do. The pirates, you know, they're not in it for heroics, they're in it for the money and if they see they're about to be hit by overwhelming force, they will usually surrender. The payments of ransoms have become much more complicated because of terrorism legislation and one of the things we had to do in 2008/2009, was the shipping lawyers we used would send a letter which we would sign to the Office of Foreign Assets Control, also to what's now the NCA, people like that, saying, "We are Terra Firma blah, blah, blah, we've been advising on this piracy case, we've been speaking to Ali for the last six months, these are the numbers he's been using, blah, blah, blah, as far as we know he's not a SDN". A specially designated national belongs to a prescribed organisation and the sort of thing that we would do, if I was talking to Ali, I would say, "So I suppose Al-Shabaab are causing you problems" and with a bit of luck he would come back and say, "These very fucking people, very bad for Somalia,"," right, you've got it on tape, he's not a terrorist, so you could go ahead. Because basically, I'm sure you know, the basic thing is if it's just a good old fashioned crim you can more or less pay any ransom, if it's a terrorist, nowadays it's really, I would say, almost impossible.

Judith Rowbotham – Any other comment from any of the panel? Paddy.

Patrick Dowsett – As from experience, after I left the ship I went to work for the UK's Joint Force Headquarters, which is a highly action joint service and I was [inaudible] for the Middle East at a very exciting time and I took a team into Baghdad and then later also into Yemen, where we would deal with the Embassy and effectively make sure that plans to evacuate UK citizens was military. As part of that we deal with a lot of PSE's via security companies, because they would be looking after our clients. They would, a lot of them, would not take clients with nationalities, like we've just discussed, because [inaudible] consequences, whether it was at sea or land, as soon as your country pays a ransom, your fellow citizens then become targets. So it perpetuates itself and that's why the PSE wouldn't look after clients from certain countries, because all of a sudden, the risk level associated dealing with them, went through the roof. It doesn't do a country at large to pay a ransom.

Judith Rowbotham – My father was a senior RAF officer inside Berlin during the airlift and he once said, "We never expected to get out alive, we knew they'd come in and get our bodies". David, had you been captured and your crew, would you have felt something like that? Would you have believed that you would've been rescued, ransomed?

David Thomas – I'm somewhat dismayed to hear that David Cameron wouldn't have come in personally to collect me. At the same time, I was flying a second register American flag from the Marshall Islands, therefore I was working with an American company that were based in the UK, that were also joint owners of this particular ship with the Qataris. Now I'm not quite sure how the Qataris would get along with the pirates and whether they would be willing to pay them. We did actually have Arabic writing on the funnel, I wonder if that would have made a difference at all to whether the pirates would've taken us. As I say, I'm rather dismayed that perhaps nobody would

come to rescue us and from your point, that the British government might have turned up to retrieve my body, rather disturbing.

Judith Rowbotham – Are there any other questions from the floor?

Chris Wilkes – Chris Wilkes, Bodmin Jail. We see state sponsored hacking of computer systems, interruption of financial services, do the panel think that at any time state sponsored piracy is ever going to cause a serious problem? David, you talk about substantial quantities of liquid natural gas being shipped around the world, are those sorts of things that are likely to be interrupted?

David Thomas – I wouldn't say that Somalis particularly would find a use for natural gas. It purely is, as has been stated, for the money. I can't quite see where you're going with that one. To question the piracy towards natural gas?

Chris Wilkes – Just as a high value cargo.

David Thomas – Indeed, it is a multi-million-dollar cargo. Would that make it a higher tendency for pirates to target? Possibly yes, but at the same time, as I've said, in our particular case, we had all sorts of dissuasive measures. The fact that it was a high value cargo, I don't think would have attracted them greatly. Any vessel and its crew would attract a ransom, depending on the ease with which they might highjack it. Would they change the ransom demands if they had a high value cargo? Perhaps.

Judith Rowbotham – Paddy Dowsett.

Patrick Dowsett – That's a great question because that ties in, nothing to do with my past, but the introduction of autonomous vessels and obviously protecting cyber vessel client attack is a consideration. So if you look at the English [inaudible], you've got companies now that are building autonomous forklift trucks that will load cargoes into the back of Mercedes Benz HG vehicles that will take nobody, without a driver or loader, take a cargo down to a dock where it will be loaded to a ship that's autonomous and then repeat that at the other end. So if you think how much of a country's trade is carried by sea, in the UK it's 90%. If, as we think in about 20 years' time the bulk carriers, the gas carriers, will be largely autonomous, with next to no-one on-board. Yes, there is an opening there for another state, we talk about state sponsored hacking, to attack another state via its economic lifeline.

Judith Rowbotham – It used to be called privateering. Jason.

Jason Lowther – It's about the decimation markets in this sort of circumstance. So if you have got a high value commodity that is actually going to be going to a particular destination, either in terms of what I've worked on previously, then I'd say ivory going to South East Asia, then that would be one of those things that you could say is state sponsored, in terms of the fact that it's not actually being prevented, like to say there's nothing actually being done to go against that. Take that a step further and look into the future, at the moment, then at the top part of the Pacific Ocean, there's been an area that's been designated for experimental deep sea mining and so what they're after is going for the deep sea mounts that are microbial in character, going for rarer metals and that sort of thing. So, if we're going to take a wide definition of piracy in terms of the fact that this is prospecting, this is almost klondiking and just a grab-fest, if you like, then there are only some countries that have the technological and financial clout to be able to do that and they are the ones that will benefit the most from what they'll be taking. In respect of the damage that then that might cause in terms of future generations and sustainability and that sort of thing, which again, linking back to your autonomous idea, then these are literally going to be autonomous lumps at the bottom of the sea

that are going to be hoovering up whatever happens to be there. That's potentially problematic, so yes, there is an element of state sponsorship going on behind that, yes.

Chris Wilkes – Actually, that could theoretically evolve couldn't it? Because if UKPLC is desperate for a bulk carrier of whatever, leaving from somewhere to come to Milford Haven, and people can cyber hack it, divert it or whatever, as a country we could be in trouble.

Judith Rowbotham – As I say, it used to be called privateering. Paddy do you have a comment there?

Patrick Dowsett – Only that I think the UK keeps something like two weeks' reserve of liquid gas. Is that right? About two weeks, so if you could disrupt the supply of those liquid gas vessels running up through the Suez or anywhere else, after about 10 days you could exert a lot of pressure on the government.

Judith Rowbotham – Any other questions?

Keith Johnson – Keith Johnson from the Devonport Naval Heritage Centre. You've talked about Somali pirates and the piracy in that geographical area, but I was actually on a ship that pirates tried to get on-board in the Malacca Straits and piracy has become epidemic in that area. The reason we got away with it is because we were a government ship, the Sultan of Oman's backup ship for his yacht. So we were armed and as soon as they came close to us, we just got the sailors on board with their Steyrs and that was the end of it. But that particular part of the world, as I understand it, and that was some 10 years ago, I don't know what the situation is now, but it was becoming very serious. One of the other things that they were doing when you talk about getting on the ship, some of them got on the ship prior to the ship actually sailing, at the beginning in the containers. When the ship sailed then they came out of the containers and took the ship over.

Judith Rowbotham – Any comment? David Thomas.

David Thomas – Yes, the Malacca Straits, the Singapore Straits have become a serious problem to us more recently. Initially, perhaps back when you're talking 10 years ago, 15, 20 years ago, those pirates have always been there in the area, but they tended to work on, again the slower, smaller tonnage and it was basically a case of theft. We now go through the Malacca Straits quite frequently. As I say, we had 52 ships in the fleet, all of a similar size. They cannot all go to Milford Haven, so they are chartered out to run to Japan and China, increasingly to China, and we run through that area. As in the Somali Basin, we go onto piracy alert in the same way through the Malacca and Singapore Straits. We haven't seen any, although one of the sister ships belonging to a different owner was apparently attacked, beyond Singapore, in the South China Sea, that would be about some four years ago I think, unsuccessfully, but they were actually attacked and that was as big a ship as I was working in. So large vessels are now a good target for Malacca and Singapore also.

Judith Rowbotham – Paddy.

Patrick Dowsett – There's a sinister dimension to that emerging that's all tied in with Muslim terrorist groups and the fact that, as said, in the past, that was largely just smash and grab type of thing. Now there's evidence to suggest that if the vessel was boarded and as well as the crew, the valuables were taken, if there's a chance that there's a white Master or [inaudible] on-board and there's a possibility of selling him on into a sort of ISIS type of organisation, of course Indonesia's one of the largest Muslim nations in the world, so that sort of faction, there's now a risk to the individual starting to emerge, that wasn't there 10 years ago when it was more like just smash and grab.

Judith Rowbotham – Any other comments from the panel? No. In that case we have another question from Mike Williams.

Mike Williams – Just to return to the first question from the floor about the moral and ethical dilemma and I think it was David talking about solving the problem, I wonder really whether it's helpful to address the issue in those terms. Sir Henry Martin complained bitterly about the activity of these fishermen, who were fishing one minute and engaging in piracy the next. He was the British Ambassador for France in 1610 and he was talking about English fishermen off the southern coast and you look at the wrecks of merchant vessels in Plymouth 1620, 1710 on the Wembury, the Mewstone there, they were armed merchant vessels. We've been there before and we were doing it ourselves. We accept that stress of weather is a marine risk, fire's a marine risk and I'm sure David's mind's very concentrated with that if you've got a cargo of liquid gas and isn't piracy just another marine risk, another low hanging fruit and like shoplifting you keep it at an acceptable level and you contain it and you accept the inevitability of it. It's a bit of a western mind-set to start talking about moral or ethical contexts or perspectives.

Judith Rowbotham – Any comment from any member of the panel? Martin.

Martin – I think that's absolutely right and some shipping owners, that's exactly how they regard it. So pirate is actually a Greek word and that's no coincidence and not all the villains are Somalis or Nigerians. It's a question of it's another business problem that you've got to confront and deal with it in an as economical way as you can and there is some, mainly anecdotal evidence for the obvious reason, that off West Africa there's a lot of under-reporting, so if a ship is actually attacked by a pirate, but nothing happens, then the owner, charterer, will say, "OK, it didn't happen," because they don't want the insurance rates to go up, they don't want the trouble of having to report it, all that sort of stuff. So moral and ethical, there's a whole spectrum there really. You can understand the 'pirates' motivation and it's quite similar to some of the people that they prey on really, it's money. Taking up one of David's earlier comments, if a ship is hijacked there's only one person who's going to pay the ransom, that's the owner and ultimately the insurer. So you've actually got a strong hand to play. They can't sell the cargo or the ship or even the crew on the open market, so they have to talk to you and one of the very early mistakes made was with the Somali pirates, who were clever people I would say, certainly their backers, who said, "It's a tanker, the cargo's worth 300 million dollars and you're offering us this?" The answer should have been, "OK, go and sell the 300 million dollars' worth of crude, get the people to queue up next to the tanker with their cans and you can pour it in, if you like,," but unfortunately the people on the other side fell for that, so ever since, tankers have been worth much more than bulkers or anything else, but it's a real shame because you only have to make a mistake like that once and it's right round the pirate community. To a certain extent, you know, when they go for a ship they often won't know which nationality it is, but once they find out who it is, as Paddy says, they know, "OK, we had a French one before and they paid, so these guys will pay a ransom,," so you settle down to a negotiation, but you have a lot of strong cards to play. They became more and more sophisticated though, so unfortunately, you know, the internet, you can find out anything you like.

Judith Rowbotham – Any other comment from the panel? Paddy.

Patrick Dowsett – I heard this story once that the city of London does very well out of piracy, both Lloyd's and also the Somali expat committee. Once you start chasing down the finance, it becomes very, very, murky. I'll leave it at that.

Judith Rowbotham – We have one more question. Is there any other comment?

Martin – I think what Paddy said is absolutely true and one of the impressive things about Somalis is that they are everywhere and they have this hawala system of transferring money, so if my cousin is in Toronto and I'm in Mogadishu, I say to him, "Please credit X with a million dollars," and you do that and it's completely untraceable and of course, interestingly, it's a system based totally on trust. Honour amongst thieves as long as you're cousins.

Judith Rowbotham – David.

David Thomas – Could I just make a point. It was suggested that it's just another risk, similar to weather, fire on board the ship. The weather, particularly, I suffered a couple of ships that actually cracked across a full deck working in a hurricane, but I was highly trained in meteorology, through this very college, a young gentleman called Danton taught me the meteorology that I know. I'm able to cope with that at sea. I can take measures on board the ship due to my training where we can get around met problems. Fire, the same again. We're all highly trained as firefighters. We can't call on a fire brigade, so we have to do it ourselves, we have to take care of it. What we cannot take care of ourselves is piracy. There's no way we can even think about that as a regular risk. It is an extraordinary thing and we need the assistance from outside in that case. We're not trained to be pirate hunters. As a further note to that, we were equipped on board the ship with Kevlar jackets and helmets. My Filipino crew thought this was wonderful, it was a photograph opportunity. But these little guys wearing Kevlar jackets for a four-hour watch, they were sort of dragging themselves along the floor after a four-hour watch. So we can only take certain protective measures on-board the ship and we can't do it ourselves in the case of piracy.

Judith Rowbotham – Martin again.

Martin – One thing we try to get involved in, and it's actually very difficult, is training crews in prevention and how to survive a hijacking and all that sort of stuff. Sad to say, it's a very difficult sell to owners and others. Partly because they sort of think, "Well, OK, that's a risk, but it's not going to happen to me," and statistically they might well be right, but of course, if it happens to you, it's 100%. Often, of course, one of the things that pirates do, and you'll see it in films, is they try and use the crew as leverage against the owner and negotiator and you will find pirates getting crew members to ring their families and saying, "The company has abandoned us," and all that sort of stuff. These are things that if you could have had even had just half-an-hour with them before they were hijacked and they remembered what you'd told them, it would make the work a lot easier. Some result in legal cases afterwards and often the ransom paid is the smallest part of the money involved with these sorts of things. The legal consequences, because everybody starts suing everybody else, and there's a thing called 'general average' where if you make a greater sacrifice than you're absolutely obliged to, that would normally be the owner, then the cargo owner, the charterer would have to participate in that and those could be the value of the ship if it was a constructive total loss or the cargo if it went off, and all that sort of stuff. You will find that there's far more money involved after the payment of the ransom. So I think, yes, it is sad that on one side the margins are so narrow that there are now anecdotally a lot of shipping companies cutting down on guards, so I know of a very large shipping company which subcontracts things and they say, "Yes, four is the minimum," and it really is the minimum and on a larger ship, you should have more than that, I think, but four is the absolute minimum, so they say, "We'll pay for two and you can pay for the other two," and it's a slippery slope. It's highly competitive tendering for contracts and things and armed guards, even cheap ones, are more expensive than if there aren't any, so one of the things it will be interesting to see is whether a resurgence comes because, and the Somalis aren't idiots, you know, they will notice there aren't any people waving guns saying, "Keep clear". Time to go back to sea.

Judith Rowbotham – Paddy.

Patrick Dowsett – That's an interesting point. I wonder if there's a study here to the cost of oil and piracy, because we're involved with a lot of big oil companies and business and as the price of oil has plummeted, there's been a lot of job redundancies amongst the big and I've got a few friends at Shell who are no longer employed by Shell security. So it will be interesting to see if the oil price stays low and the companies make cut-backs, whether we will see a resurgence in piracy.

Judith Rowbotham – Thank you. Your question and please remember to identify yourself.

Paul Wright – Paul Wright of the Nautical Institute. Going back pre-1989, one of the only sort of activities internationally, to help support the shipping industry, was the development of the International Maritime Bureau and the piracy centre out in Kuala Lumpur. 'I just wanted to ask those who are knowledgeable, how valuable is the work of the IMB in helping combat piracy today?'

Judith Rowbotham – David.

David Thomas – Yes I'm fully aware of the IMB's reporting. We receive the reports through on the ship with great interest. To a great extent it's been superseded these days, particularly for the fact that we have armed guards on-board, because we have instant communication through the security company. The guards get the information about pirates and activity well before we do. The information coming from the IMB then tends to be rather later, so although it's good information and of course if a ship is not directly involved with piracy at that time, they would still receive a message from IMB piracy centre and reporting from the ship to the piracy centre also. Something I've never had to do because I wasn't directly involved in pirates myself. I was aware that I was asked to do so, to contact the IMB, but I still see a purpose for IMB, yes indeed.

Judith Rowbotham – Martin.

Martin– Yes, whenever we worked on a case we were called probably once a week by Captain Pottengal or one of his men and asked how it was going and of course we said, "Well we can't actually tell you anything,," but they were very keen on getting the statistics together and so on and so forth, but I think it's a useful service, but didn't actually increase to any degree the necessary protection ofof the crews. David referred to his Philippine crew and I have to say, usually after a case was over, often several months, we would debrief the crew and they are incredibly impressive people, especially in my experience the Filipinos and the Burmese, because they are the ones who really suffer most in this sort of thing and they really are amazing. I think the Filipinos, some people might describe them as passive, but I think they're not that, actually, they're very philosophical and a lot of them are good Catholics as well. Those sort of things see them through. You don't hear of, which you did hear from some other crews of, you know, one officer being a bit too friendly with the pirates and breaking ranks. That never happened with the Filipinos and also the Burmese. It's interesting, when you've grown up under a military dictatorship, quite how tough you are.

Judith Rowbotham – David again.

David Thomas – Could I just possibly put to the floor, am I the only person in the room who hasn't seen 'Captain Phillips'? Oh, there's an awful lot of people who haven't seen 'Captain Phillips'. I tried to watch it, under duress, it was my wife who actually asked me to watch it with her. She, of course, being at home, was as fearful as I was in the situation. She needed me to contact her when we had cleared each time. As far as the film 'Captain Phillips' goes, I watched the first 20 minutes and I was not impressed by the apparent lack of consultation between the Master and his complement, I couldn't watch it any further, because if I ran my ship in a way he was apparently running his ship, I

wouldn't get the cooperation of anyone on-board the ship. I didn't see it to its end, so I don't know if it would have been any advantage to me to learn anything that might have been helpful to me in the case of being taken.

Judith Rowbotham – That was just a comment "I think 'A Hijacking' is better".

Martin – I think that's absolutely right. I've seen both films and of course with 'Captain Phillips' the actual case was exceptional, a successful armed intervention. I think 'A Hijacking' is a brilliant film. The only thing I have to say in defence of my particular trade, is the only thing I would have done differently, as you will see in, hopefully, is 'The Adviser'. He's actually an ex-Royal Marine and a very nice bloke, but he has tattoos on both of his forearms and at one very tense stage he says, "Well nobody said this was going to be easy," and at that moment if I'd been the CEO, I would have said, "You're fired,," because it would show a complete lack of understanding of what your client was undergoing. I won't spoil the film for you, but the way the people react psychologically to the occurrences both on the ship and on the shore is very well portrayed. No doubt partly because Per Gullestrup was advising on it and they interviewed a lot of other people. The only slightly disturbing thing is if you follow all these things like 'Borgen' and 'The Killing', you're saying, "Well just a minute, isn't he a presidential advisor, now he's a ship cook,," but otherwise it's great. I certainly wouldn't miss it if you get the chance.

Judith Rowbotham – Thank you. Brendan.

Brendan Brookshaw – Yes, I think it's been touched on already, but everyone was talking about previous generations of pirates. In the first Elizabethan period probably and the current pirates, fishermen one day, pirates the next, so as Head of County Corruption for Devon & Cornwall Police, my question is obviously going to be a corruption-related one and it's been touched on, how much of that, not necessarily state-sponsored, but how much of that activity amongst those pirates whose day job is probably fishing is coordinated by either organised crime gangs, I think you've talked about a link with somebody who's also a UN adviser, I know Paddy mentioned about links into the City of London, so do we actually follow the money? You said it was difficult, but not impossible, follow the money to find out where it ends up. Is it a bigger, wider, international corruption issue which manifests itself on the sea?

Judith Rowbotham – Martin.

Martin – I think following the money, you can often see where it ends up. There's a part of Nairobi which is basically all Somali, there's some fantastic buildings there and that's mainly pirate money. So certainly Puntland, as it then was, they did not do a lot to stop pirates and they will have got a lot of money from them. One of the first cases I worked on, the demand to the owner was, it had a rubber-stamp on it which said "Somali Coastguard" and it was dressed up as, and it might have been true for all I know, that not by our owner, but by a ship, some of their fishing skiffs had been damaged and they wanted compensation for them. If you haven't seen it, there's a really good, I think it was BBC4, programme made, a documentary called 'The Trouble with Pirates' and it's made by a Somali who grew up in Sweden, very typically, but had lots of cousins around Eyl, including a wonderful uncle, Mr Noor, who's interviewed extensively and that describes some of the early mechanics, because when the Somali state collapsed you got a lot of, and Jason would know more about it that I would, but large fishing vessels coming along just stealing everything and also chemical waste being dumped. So some of the pirates, you know, if you talk to them, they will tell you, "Don't be surprised we're doing what we're doing because actually we're fighting back against international robbers and thieves".

Judith Rowbotham – Any other comment from the panel on that? KOK. Now the final question I'm afraid, because we are already slightly over time, from Kim Stevenson.

Kim Stevenson – Another one with a historical parallel. There's been some very famous female pirates in the past, Anne Bonny, Mary Read and a very famous Chinese lady who was captain of, I think, 10 thousand pirates and two to three thousand ships, so any experience of any feminine involvement in any of this or is it purely a masculine dominated practice in crime?

Judith Rowbotham – Martin.

Martin – The only one I know of is a lady who had been married to a pirate who had been lost at sea, I think, but he left an RPG7 at home, so she went to the bazaar and invested it in the next piratical endeavour and I think she copped about 70 thousand dollars of ransom. But actually on board ship, no. They often have their 10 commandments which you'll find on the bridge saying what you mustn't do. So things like negligent discharges, quarrelling, fighting, they all have fines and they're pretty swingeing, the fines, and some of them, the death penalty isn't usual, but the worse thing is you're kicked off the ship and not allowed back on, which means you've been guarding the crew for five months for nothing. So women don't usually get involved. When the Le Ponant was taken, a French luxury yacht which had female crew and male crew to look after the guests, and there were no guests on board, and the girls hid in a forward hold because they thought it wasn't going to go on for very long, a typical sort of mistake, and in the end they came out and the French captain, the chief pirate looked at him and sort of said, "What sort of people do you think we are? OK, we're thieves, but we're not rapists, they'll be perfectly safe with us". The only case I know of was, I think, a Danish family, where I think the 17-year-old daughter ended up pregnant, but I don't really know the background to that. On the whole the treatment is rough and ready and there have been cases of deliberate maltreatment, it's a negotiating factor. For the Somalis it's unusual. The Nigerians are very violent when they come on board, but again, the cases are over quite quickly and as I've said earlier, the greatest risk is disease.

Judith Rowbotham – Any other comment from the panel? No. In that case, what I shall do is bring the morning session to an end and I'd like to thank the panel, but also in particular, can I remind those of you who asked questions or made comments to fill in your consent forms and leave them with either Kim or myself or on the front table. Also, a feedback form for the ESRC, if you could fill that in, we would be very grateful. It's fairly straightforward and fairly simple. But, first before anything else, can we thank the panel for an absolutely fascinating session. Thank you. [applause] Hugh is going to find out about lunch, which should be arriving shortly. I do hope that even if you can't stay for the afternoon session you will stay and have lunch, but as many of you that can stay and are interested to stay. I think one of the things that was most interesting about this morning's session was the implications of just how important, what is going on, on land, besides behind underpinning piracy on the high seas is and what we'll be hearing about this afternoon from this afternoon's panel relates very strongly to how, here in the South West, that has been managed, because one of the things that hasn't been said is that both in terms of being pirates and to policing piracy, the South West has pretty much from the early days of known recorded piracy from these shores, been distinctly a hot spot shall we say. So again thank you very much indeed and lunch has now arrived.